

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
TERRI PECHNER- JAMES and	)	
SONIA FERNANDEZ,	)	
	)	
Plaintiffs,	)	
	)	Civil Action No.03cv12499-MLW
v.	)	
	)	
CITY OF REVERE et. al.	)	
	)	
_____ Defendants.	)	

ORDER RE: NOTICE OF ATTORNEY'S LIEN

February 8, 2008

SOROKIN, M. J.

At a mediation held on September 27, 2007, plaintiff Terri Pechner-James reached a settlement with defendants of all her pending claims. See Report of ADR Provider, Docket # 271. On October 2, 2007, Pechner-James filed a stipulation of dismissal of her claims, with prejudice. See Docket # 272. On October 29, 2007, Pechner-James' prior attorney, Carlton J. Dasent, filed a notice of Attorney's Lien in which he asserted that he is entitled to approximately \$161,000.00 for fees and costs related to his representation of Pechner-James. See Docket # 273.

On November 29, 2007, James Dilday, another of Pechner-James' former attorneys, filed a motion seeking leave to reassert a notice of attorney's lien that he had previously filed, and then withdrawn. See Docket # 275. On January 2, 2008, Pechner-James filed a motion to dissolve the liens. See Docket # 277. The Court held a hearing on the motions on February 8, 2008.

The hearing was attended by Dilday, Dasent, Pechner-James, and her current attorney, Peter Unitt. At the hearing, Dasent stated clearly on the record that he does not seek payment from either Pechner-James, Unitt, or Unitt's law firm, the Crest Group, LLC.<sup>1</sup>

Rather, Dasent's only contention is that pursuant to Massachusetts' Attorney's Lien Statute, Mass. Gen. Laws c. 221, § 50, and the fee shifting provisions of Mass. Gen. Laws c. 12, § 11I, he is entitled to payment from the City Defendants. Dasent did not specify with particularity to which defendants he refers.

In light of Dasent's representations on the record that he does not seek monies from Pechner-James, Unitt, The Crest Group, LLC, or Dilday, the Court will TERMINATE AS MOOT the motions filed by Pechner-James and Dilday (Docket #s 277 and 275, respectively). Dasent is ORDERED to file, no later than Wednesday, February 13, 2008, a concise statement, no longer than one page, identifying with particularity the defendants from whom he claims entitlement to monies.

SO ORDERED.

/s/ Leo T. Sorokin

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United States Magistrate Judge

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<sup>1</sup> In light of and in reliance on these representations on the record in open court, Attorney Unitt indicated he would disburse the remaining portion of the settlement funds he has held in escrow to Pechner-James, Dilday and his own firm.